

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

EQUALNET INC,

Plaintiff,

VS.

JORGE BELLAS; dba TELE-DIRECT
INC, *et al.*,

Defendants.

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CIVIL ACTION NO. H-04-3895

MEMORANDUM AND ORDER

Defendants have moved to disqualify Plaintiff's counsel, Leonard H. Simon, on the ground that he represented Plaintiff in a prior proceeding about which he has factual knowledge and regarding which he may be required to testify. After considering the parties' filings and oral arguments, the Court finds that there is no evidence that Mr. Simon will be required to testify or that his factual knowledge arising from the prior suit is grounds for disqualification. Defendants' motion is therefore **DENIED**.

IT IS SO ORDERED.

SIGNED this 15th day of September, 2005.



Keith P. Ellison
United States District Judge

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES THIS
ORDER SHALL FORWARD A COPY OF IT TO EVERY OTHER PARTY
AND AFFECTED NON-PARTY EVEN THOUGH THEY MAY HAVE BEEN
SENT ONE BY THE COURT.